

Remarks

Claims 1-20 are pending in this application, claims 11-20 of which stand allowed and claims 2-10 of which are objected to as dependent upon a rejected base claim but indicated to be allowable if rewritten in independent form. Applicant has rewritten claims 2 and 10 into independent form and claims 2-20 are submitted to be patentable and in condition for allowance. An authorization to charge the fee for these new independent claims to applicant's deposit account is submitted herewith.

Claim 1 stands rejected under 35 U.S.C. Section 103(a) in view of the proposed combination of U.S. Patent 6,744,761 to Neumann et al., an excerpt from Newton's Telecom Dictionary, and U.S. Patent 4,654,889 to Shutterly. Applicant respectfully traverses the rejection of claim 1 under 35 U.S.C. Section 103(a).

Although Neumann et al. does mention ASCII, this mention is in the context of "converting the received fax into a more suitable form, such as, for example an ASCII or RTF file for operation of OCR engines" (see Neumann, column 6, lines 5-7) and is not made in any communications context. OCR is the common abbreviation for Optical Character Reader. Neumann et al. makes no disclosures relative to the use of ASCII for communications and applicant notes that the fax has already been "received" prior to the conversion of the fax into an ASCII file by operation of the OCR engine, further distancing the OCR engine from any communications context. Applicant therefore submits that there is no disclosure in Neumann relative to any use of ASCII for communication let alone any disclosure relative to the use of a unique end of message code to also trigger a transfer of communications control between devices.

The Newton reference is a dictionary definition of ASCII and makes no disclosures relative to the use of a unique code such as the ASCII EOT standard control code as a mechanism for triggering transfer of communications control from one device to another device in a communications bus.

The Shutterly reference is directed to an optical communication network where terminal devices are grouped into sub-networks connected to a fiber bus in a manner which permits token passing (see Shutterly, column 1, lines 6-10). From the Indiana University Knowledge Base ([kb.Indiana.edu/data/ahkc.html?cust=760016.59534.30](http://kb.Indiana.edu/data/ahkc.html?cust=760016.59534.30)):

"The term 'token ring' is used to describe a computer network configuration where each computer is linked to the computer next to it to form a closed ring. In this ring, computers cannot transmit data until permission is received from the network in the form of an electronic token. Only one computer can have the token at a time, and token passing acts as a simple method for directing network traffic."

The token itself is passed within a message and does not include "a unique code indicating the end of message" as is required by claim 1. A token in a token ring cannot be used as a unique end of message code without detrimentally and adversely impacting the operation of the token ring. In this regard, Shutterly clearly states "a terminal device with access to the network may address any other terminal device and send a message to it, wherein the terminal device with access 'passes the token' to the next terminal device scheduled for access" (Shutterly, column 2, lines 58-62) thus indicating that the token is passed within a message. Applicant submits that a token ring arrangement cannot be modified as proposed by the Examiner without disrupting operation of the token ring since the token ring transfers the token in a predetermined sequence and since the arrangement proposed by the Examiner would require that the token be passed at the end of every message, rather than only in messages directed to the next device in the sequence. Thus applicant submits that a person of ordinary skill in the art would not modify or combine Shutterly in the proposed manner.

Essentially, applicant submits that Neumann does not make any disclosures regarding the use of ASCII for communications, that Newton is simply a dictionary definition, and that Shutterly would never be modified as proposed. Applicant further submits that the proposed combination of these references raises significant technical hurdles to making the proposed combination and that a person of ordinary skill in

the art does not have any motivation to overcome these hurdles, even assuming that rationale and coherent solution to making the combination could be determined. Finally, applicant submits that there is no reason in any of the cited references to make the proposed combination of these references, and to then modify the combination to result in the invention of claim 1, particularly where that modification requires a significant and adverse change to Shutterly.

For all the foregoing reasons, applicant submits that claim 1 is novel and patentable in view of the cited references, whether those references are taken individually or in combination, and requests that the Examiner reconsider and withdraw the rejection of claim 1 for all of the foregoing reasons.

With the foregoing comments and submissions, each issue raised in the Office Action has been believed to have been addressed fully. Should applicant have failed to completely address an issue, the Examiner is requested to contact applicant at the number below. Otherwise, the expeditious allowance of the claims on file is respectfully requested.

Respectfully Submitted,

A handwritten signature in black ink, reading "William O'Driscoll". The signature is written in a cursive style with a large, stylized 'W' and 'O'.

William O'Driscoll  
Registration No. 33,294

Telephone Number: (608)787-2538